



U.S. Department of Justice

Civil Division

Washington, DC 20530

Via E-mail

June 10, 2019

Mr. Austin Evers
American Oversight
1030 15th Street, NW
Suite B255
Washington, DC 20005
foia@americanoversight.org

Request No. 145-FOI-16585
HDK

Dear Mr. Evers:

This is the response of the Civil Division, Department of Justice to your Freedom of Information Act request for records pertaining to Rex Lee. This Office received your request on February 22, 2019.

In an email dated March 27, 2019, you informed our office that you are primarily interested in communications involving non .gov email extensions, records pertaining to Guantanamo Bay, and to the extent they can be readily identified, all calendar entries.

The Civil Division located 17 pages responsive to your request, which are being released to you in part. The Civil Division withheld certain information because it is protected from disclosure under the FOIA pursuant to 5 U.S.C. § 552(b)(6). This provision concerns material the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

You may contact our FOIA Public Liaison at 202-514-2319 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site: <https://www.foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of this response. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,



Hirsh D. Kravitz
Senior Supervisory FOIA Counsel
Office of FOIA, Records, and E-discovery

From: joel@cgson.com
To: [Lee, Thomas \(CIV\)](#)
Subject: A couple of questions
Date: Wednesday, December 01, 2004 4:05:47 PM
Attachments: [tmp.htm](#)

(b) (6)



3) Is my understanding correct that once issues get to the Supremes they would bump over to the Solicitor General rather than your unit? In other words, on top of it all do you have to worry about medical marijuana in California at the same time that the Guantanamo issues that keep bubbling up? If so, I'm beginning to understand the scope of what you are dealing with I have to imagine that the marijuana case poses some pretty tricky issues that can't be easy to deal with - it will be interesting to see how the Federalism rubber meets the road. :)

(b) (6)



Ok, back to work.

Joel Wakefield
Coppersmith Gordon Schermer Owens & Nelson PLC
2800 North Central Avenue, Suite 1000
Phoenix, Arizona 85004
(b) (6)
fax 602/224-6020
joel@cgson.com

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From: PKamenar@WLF.org
To: [Lee, Thomas \(CIV\)](#)
Subject: Muslim/terrorist civil cases
Date: Friday, August 27, 2004 12:02:05 PM
Attachments: [tmp.htm](#)

Tom-

Thanks for calling back to discuss current Muslim/terrorist cases. As I indicated, we would like to file an amicus in any of these at the appropriate time as we've done in the Guantanamo Bay cases, etc. But we need to know the status, DOJ atty/number, etc. to keep abreast. We pretty much have a handle on the Humintarian Law Project v. Ashcroft cases in the 9th circuit, and as we understand it, DOJ's petition for rehearing en banc is pending Muslim Community Assoc. v. Aschroft in Detroit has been essentially brief and waiting for ruling

But we need status on:

1. American-Arab Antidiscrim Comm. V. Ashcroft, filed 12/26/2002 in fed court in calif, No. 2:02-cv-09795-RMT-AJW, challenging the alien registration program, but case transferred to another division for a related case, but don't know what that case is, status, etc.
2. Shannen Coffin mentioned a recent case filed a couple months ago in the SDNY, I think relating to electronic monitoring, etc.?

Again, appreciate updates on these and any other cases relating to challenges by Muslim/Islamic groups challenging Patriot Act, etc. charity fund-raising, seizure of assets, etc.

Thanks.

Paul

#####

Paul Kamenar

Washington Legal Foundation (WLF)

2009 Massachusetts Avenue, NW

Washington, DC 20036

(b) (6) Voice

202-588-0386 Fax

#####

From: tom_griffith@byu.edu
To: [Lee, Thomas \(CIV\)](#)
Subject: RE: ABA Evaluation
Date: Wednesday, July 28, 2004 9:43:38 AM

Enjoy.

Thomas B. Griffith
Assistant to the President and
General Counsel
Brigham Young University
A-357 ASB
Provo, UT 84602-1333
Phone: 801-422-1217
Fax: 801-422-0265
Mobile: (b) (6)
E-mail: tom_griffith@byu.edu

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-----Original Message-----

From: Thomas.Lee@usdoj.gov [<mailto:Thomas.Lee@usdoj.gov>]
Sent: Wednesday, July 28, 2004 7:38 AM
To: Thomas Griffith
Subject: Re: ABA Evaluation

It's been an incredible experience. I'm in the middle of everything from DOMA to Gtmo detainee cases. I'll give you a full report one of these days when we both have a few minutes to talk.

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: tom_griffith@byu.edu <tom_griffith@byu.edu>
To: Lee, Thomas (CIV) <TLee@CIV.USDOJ.GOV>
Sent: Wed Jul 28 09:26:07 2004
Subject: RE: ABA Evaluation

(b) (6)



Thomas B. Griffith
Assistant to the President and

General Counsel
Brigham Young University
A-357 ASB
Provo, UT 84602-1333
Phone: 801-422-1217
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Mobile: (b) (6)
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-----Original Message-----

From: Thomas.Lee@usdoj.gov [<mailto:Thomas.Lee@usdoj.gov>]
Sent: Monday, July 26, 2004 8:08 AM
To: Thomas Griffith
Subject: RE: ABA Evaluation

(b) (6)



Tom

-----Original Message-----

From: tom_griffith@byu.edu [mailto:tom_griffith@byu.edu]
Sent: Monday, July 26, 2004 9:31 AM
To: Lee, Thomas (CIV)
Subject: ABA Evaluation

Tom:

(b) (6)



(b) (6)



Thank you for your help.

<<Questions 18,
19 of Sen Jud Comm Questionnaire.doc>>

Tom (b) (6)

Thomas B. Griffith
Assistant to the President and
General Counsel
Brigham Young University
A-357 ASB
Provo, UT 84602-1333
Phone: 801-422-1217
Fax: 801-422-0265
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From: [Lee, Thomas \(CIV\)](#)
To: ["rasbandj@lawgate.byu.edu"](mailto:rasbandj@lawgate.byu.edu)
Subject: Re: Boston Univ. Law Review Article
Date: Friday, November 05, 2004 4:07:00 PM

(b) (6)



Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: rasbandj@lawgate.byu.edu <rasbandj@lawgate.byu.edu>
To: Lee, Thomas (CIV) <TLee@CIV.USDOJ.GOV>
Sent: Fri Nov 05 15:30:58 2004
Subject: Re: Boston Univ. Law Review Article

(b) (6)



Jim

>>> "Thomas.Lee@usdoj.gov" <Thomas.Lee@usdoj.gov> 11/5/2004 8:57:38 AM

>>>

FYI my article on trademark dilution is now in print--Demystifying
Dilution, 84 B.U.L.Rev. 859-939 (2004).

(b) (6)



This job has been fascinating. I've been defending DOMA, the Faith-Based Initiative, detention at Guantanamo, and a bunch of other stuff. My only complaint is that it's occasionally (OK, usually) too much of a good thing.

See you soon,

Tom

From: rasbandj@lawgate.byu.edu
To: [Lee, Thomas \(CIV\)](#)
Subject: Re: Boston Univ. Law Review Article
Date: Friday, November 05, 2004 10:17:23 PM

Tom,

(b) (6)

Jim

>>> "Thomas.Lee@usdoj.gov" <Thomas.Lee@usdoj.gov> 11/5/2004 2:07:40 PM

(b) (6)

Sent from my BlackBerry Wireless Handheld

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To: Lee, Thomas (CIV) <TLee@CIV.USDOJ.GOV>
Sent: Fri Nov 05 15:30:58 2004
Subject: Re: Boston Univ. Law Review Article

(b) (6)

Jim

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Tom

From: [Lee, Thomas \(CIV\)](#)
To: ["rasbandj@lawgate.byu.edu"](mailto:rasbandj@lawgate.byu.edu)
Subject: Re: Boston Univ. Law Review Article
Date: Friday, November 05, 2004 11:28:48 PM

(b) (6)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: rasbandj@lawgate.byu.edu <rasbandj@lawgate.byu.edu>
To: Lee, Thomas (CIV) <TLee@CIV.USDOJ.GOV>
Sent: Fri Nov 05 22:16:15 2004
Subject: Re: Boston Univ. Law Review Article

Tom,

(b) (6)

Jim

>>> "Thomas.Lee@usdoj.gov" <Thomas.Lee@usdoj.gov> 11/5/2004 2:07:40 PM

>>>

(b) (6)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: rasbandj@lawgate.byu.edu <rasbandj@lawgate.byu.edu>
To: Lee, Thomas (CIV) <TLee@CIV.USDOJ.GOV>
Sent: Fri Nov 05 15:30:58 2004
Subject: Re: Boston Univ. Law Review Article

(b) (6)

Jim

>>> "Thomas.Lee@usdoj.gov" <Thomas.Lee@usdoj.gov> 11/5/2004 8:57:38 AM

>>>

FYI my article on trademark dilution is now in print--Demystifying
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(b) (6)

This job has been fascinating. I've been defending DOMA, the Faith-Based Initiative, detention at Guantanamo, and a bunch of other stuff. My only complaint is that it's occasionally (OK, usually) too much of a good thing.

See you soon,

Tom

From: [Lee, Thomas \(CIV\)](#)
To: ["CGerstner@wallaceklormann.com"](mailto:CGerstner@wallaceklormann.com)
Subject: RE: DOJ
Date: Monday, October 04, 2004 11:36:03 AM

(b) (6) I'm doing everything from same-sex marriage to Gtmo detainee litigation. (b) (6).

(b) (6)

-----Original Message-----

From: CGerstner@wallaceklormann.com
[mailto:CGerstner@wallaceklormann.com]
Sent: Monday, October 04, 2004 11:24 AM
To: Lee, Thomas (CIV)
Subject: DOJ

TRex,

(b) (6)

--Cannon

From: [Salmons, David B](#)
To: ["Rob.Kirsch@wilmerhale.com"](mailto:Rob.Kirsch@wilmerhale.com)
Cc: ["Stephen.Oleskey@wilmerhale.com"](mailto:Stephen.Oleskey@wilmerhale.com); ["Melissa.Hoffer@wilmerhale.com"](mailto:Melissa.Hoffer@wilmerhale.com)
Subject: RE: Guantanamo - Habeas - Bosnia -HI Detainees Service of Process
Date: Thursday, July 22, 2004 9:32:55 AM

Actually, you can make Jody Hunt, one of the directors in our Federal Programs division, the point of contact for service. His contact info. is

Jody Hunt
Director, Federal Programs Branch
Civil Division
20 Massachusetts Avenue, N.W.
Room 7348
Washington DC 20530
jhunt@civ.usdoj.gov
(b) (6)

Whenever possible, it would be best if you serve us electronically as well as by mail. We, of course, will do likewise.

-----Original Message-----

From: Rob.Kirsch@wilmerhale.com [<mailto:Rob.Kirsch@wilmerhale.com>]
Sent: Thursday, July 22, 2004 9:06 AM
To: Salmons, David B
Cc: Stephen.Oleskey@wilmerhale.com; Melissa.Hoffer@wilmerhale.com
Subject: Guantanamo - Habeas - Bosnia -HI Detainees Service of Process

David

Will you accept service for the defendants [or, if some of them, which ones] going forward in the proceeding on behalf of the detainees named in our petition. Our current plan still anticipates getting amendment papers to you Monday. [We will send hard copy and PDF by email.]

Regards

Rob

Rob Kirsch
Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, MA 02109
Tel: 617-526-6779
Fax: 617-526-5000
rob.kirsch@wilmerhale.com

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From: scoffin@steptoe.com
To: [Lee, Thomas \(CIV\)](#)
Subject: RE: Hey there
Date: Monday, August 16, 2004 3:11:36 PM


(b) (6)



-----Original Message-----

From: Thomas.Lee@usdoj.gov [<mailto:Thomas.Lee@usdoj.gov>]
Sent: Monday, August 16, 2004 3:02 PM
To: Coffin, Shannen
Subject: RE: Hey there

The triage task is as tough as ever, but the work is fascinating. The Gtmo cases are a full-time job, and I'm sure you know how things get when you combine something like that with DOMA, Waxman, the Faith-Based Initiatives case, and others, (b) (6)



(b) (6)



-----Original Message-----

From: scoffin@steptoe.com [<mailto:scoffin@steptoe.com>]
Sent: Monday, August 16, 2004 2:36 PM
To: Lee, Thomas (CIV)
Subject: Hey there

(b) (6) I've heard from many sources that the crush of GITMO litigation has fallen at your doorstep. Good luck. I'll be thinking of you guys.

(b) (6)



Shannen W. Coffin
Steptoe & Johnson LLP
1330 Connecticut Avenue, NW
Washington, D.C. 20036
(202) 429-5519 (phone)
(202) 263-3557 (fax)
scoffin@steptoe.com

From: [Lee, Thomas \(CIV\)](#)
To: ["yoo@law.berkeley.edu"](mailto:yoo@law.berkeley.edu)
Subject: RE: How are you?
Date: Friday, October 22, 2004 3:09:18 PM

John:

(b) (6)

The job has been great. My only complaint is that it's occasionally a little too much of a good thing. I've been working on everything from Gtmo detainee cases to defending the Faith-Based Initiative.

(b) (6)

Tom

-----Original Message-----

From: yoo@law.berkeley.edu [<mailto:yoo@law.berkeley.edu>]

Sent: Friday, October 22, 2004 2:51 PM

To: Lee, Thomas (CIV)

Subject: How are you?

Tom:

(b) (6)

(b) (6)

Anyway, just a thought I had. (b) (6)

John Yoo

Professor of Law

Boalt Hall School of Law

University of California at Berkeley

Berkeley, CA 94720

510.643.5089

510.642.3728 (fax)

From: [Lee, Thomas \(CIV\)](#)
To: ["van@lindbergs.org"](mailto:van@lindbergs.org)
Subject: Re: Research
Date: Monday, February 07, 2005 1:55:36 PM

In addition to possibly pursuing research projects related to the Guantanamo Bay cases I've been working on, (b)

)
(6
)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: van@lindbergs.org <van@lindbergs.org>
To: Lee, Thomas (CIV) <TLee@CIV.USDOJ.GOV>
Sent: Mon Feb 07 12:55:22 2005
Subject: Re: Research

Hello,

(b) (6)

I look forward to hearing from you,

Van

From: [Lee, Thomas \(CIV\)](#)
To: ["joel@cgson.com"](mailto:joel@cgson.com)
Subject: RE: Well, one really good half. . .
Date: Tuesday, February 01, 2005 9:22:41 AM

(b) (6)



Hope you guys are doing well, and look forward to seeing you soon.

-----Original Message-----

From: joel@cgson.com [<mailto:joel@cgson.com>]
Sent: Tuesday, February 01, 2005 3:00 AM
To: Lee, Thomas (CIV)
Subject: Well, one really good half. . .

(b) (6)

